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Attorneys for Defendants
FRITO-LAY NORTH AMERICA, INC. and
PEPSICO, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

JESSE HOUGHTAILING,

Plaintiff,

v.

FRITO-LAY NORTH AMERICA, INC., and
PEPSICO, INC., AND DOES 1 TO 100,
inclusive,

Defendants.

CASE NO. 3:11-cv-05062-TEH
Judge: Hon. Thelton E. Henderson

**STIPULATION AND REQUEST TO
CONTINUE DEADLINE FOR ADR
SESSION; ~~PROPOSED~~ ORDER
GRANTING CONTINUANCE**

Action Filed: August 24, 2011
Removal Filed: October 14, 2011
Trial Date: None Set

1 TO THIS HONORABLE COURT:

2 Plaintiff Jesse Houghtailing (hereinafter "Plaintiff"), by and through his counsel, and
3 Defendants Frito-Lay North America, Inc. and Pepsico, Inc. ("Defendants"), by and through their
4 counsel, do hereby agree, stipulate, and respectfully request as follows:

5 1. WHEREAS, the Court ordered the Parties to complete their private ADR session
6 by October 31, 2012;

7 2. WHEREAS, the Parties are engaging in informal resolution efforts;

8 3. WHEREAS, the Parties have scheduled the completion of Plaintiff's deposition to
9 occur on November 12, 2012 and November 13, 2012 based on the Parties' informal resolution
10 efforts, scheduling conflicts, and Plaintiff's inability to sit for long periods of time;

11 4. WHEREAS, the Parties have agreed to continue the deadline to complete their
12 private ADR session;

13 8. THE PARTIES HEREBY STIPULATE to continue the currently scheduled
14 deadline to complete their private ADR session from October 31, 2012 to December 31, 2012.

15 IT IS SO STIPULATED.

16 Dated: October 25, 2012

DuCHARME & COHEN

17 By /s/ James A. Du Charme
18 JAMES A. DuCHARME

19 Attorneys for Plaintiff
20 JESSE HOUGHTAILING

21 Dated: October 25, 2012

VILLARREAL HUTNER & TODD PC

22 By /s/ Julie Wong
23 TRACY S. TODD
24 JULIE WONG

25 Attorneys for Defendants
26 FRITO-LAY NORTH AMERICA, INC.
27 and PEPSICO, INC.
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1 **ATTESTMENT OF CONCURRENCE PER GENERAL ORDER 45 FOR FILING:**

2 I attest that concurrence in the filing of this document by the signatory James A.
3 Du Charme, has been obtained, and that a record of the concurrence shall be maintained by
4 Villarreal Hutner & Todd PC.

5 I declare under penalty of perjury pursuant to the laws of the United States of
6 America that the foregoing is true and correct.

7 Executed at San Francisco, California this 25th day of October, 2012.

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10 /s/ Julie Wong

11 JULIE WONG
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~~[PROPOSED]~~ ORDER

Having considered the foregoing stipulation of the parties, the Court orders the deadline for the Parties to complete their private ADR session in the instant matter, Houghtailing v. Frito-Lay North America, Inc., et al., case number 3:11-cv-05062-TEH, continued to December 31, 2012.

IT IS SO ORDERED.

Dated: _____ 11/05, 2012

